



Independent Electrical Contractors of New England, Inc.

TO: Labor & Public Employees Committee

From: Lisa Hutner, Executive Director

Date: February 10, 2011

**Re: HB-5460 – AN ACT CONCERNING CAPTIVE AUDIENCE
MEETINGS**

The Independent Electrical Contractors of New England (IEC-NE) ***opposes*** ***HB-5460, An Act Concerning Captive Audience Meetings***, which will prohibit businesses from speaking with their employees at mandatory staff meetings to keep them informed of key workplace and industry issues.

Under the proposed legislation, banned topics could include pending legislation at the state Capitol on issues affecting an employees' job or workplace. For example, if legislation that pertains to the Apprenticeship Job Training Program is under consideration, we would no longer be able to discuss this with our employees and how this would impact their job and training.

Moreover, the bill is in conflict with the National Labor Relations Act (NLRA), which expressly protects the right of employers to hold mandatory meetings for purposes of communicating their views about issues affecting the workplace, including whether employees should join or support a labor organization. This protection has been interpreted to allow an employer to require its employees to attend meetings on the employer's premises during work time.

On November 15, 2010, the U.S. District Court for the Eastern District of Wisconsin entered a Judgment and Order declaring a Wisconsin "captive audience" law unconstitutional because the amendment is preempted by the NLRA under the Supremacy Clause of the U.S. Constitution. This decision recognizes that employers have a right to communicate with employees about matters affecting the workplace, including political matters.

IEC-NE urges lawmakers to reject HB-5460 and, instead, look for ways to make Connecticut's business climate more competitive create much-needed jobs.

The Independent Electrical Contractors of New England is the premier trade association representing Connecticut, Massachusetts and Rhode Island independent electrical contractors aggressively working with the industry to establish a free environment for merit shop -- a philosophy that promotes the concept of free enterprise, open competition and economic opportunity for all.

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